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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
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EXAMINER

LEE, BENNY T

ART UNIT PAPER NUMBER

2817

DATE MAILED: 04/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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| | 6 |

DATE MAILED:

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

- ☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire Three (3) month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449 | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474 | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-24 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1, 3-8, 18-21, 24 are rejected.
5. ☒ Claims 2, 9-17, 22, 23 are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings which are acceptable for examination purposes until such time as allowable subject matter is indicated.
8. ☐ Allowable subject matter having been indicated, formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. These drawings are: ☐ acceptable;
☐ not acceptable (see explanation).
10. ☐ The ☐ proposed drawing correction and/or the ☐ proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____ has been ☐ approved. ☐ disapproved (see explanation). However, the Patent and Trademark Office no longer makes drawing changes. It is now applicant's responsibility to ensure that the drawings are corrected. Corrections MUST be effected in accordance with the instructions set forth on the attached letter "INFORMATION ON HOW TO EFFECT DRAWING CHANGES", PTO-1474.
12. ☒ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☒ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

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The disclosure is objected to because of the following informalities: Page 1, lines 15, 17, note that "US-" should be rewritten as --U.S. Patent. No.-- and "-A" should be deleted for a better description. Page 2, line, note that -- of the Invention -- should follow "Summary" for a proper characterization; line 5, note that "an earthed" should be rephrased as -- a grounded --. Page 3, line 16, note that "earthed" should be rewritten as --grounded--. Page 6, line 24, note that --(see Figure 3) -- should follow "11" for a proper characterization. Page 7, line 9, note that "3-6" should be rewritten as --3, 4-- for a proper characterization; line 17, note that -- (see Figure 2) -- should follow "3-6" should be rewritten as --3, 6-- for a proper characterization; line 35, note that -- (see Figure 1) -- should follow "12" for a proper characterization. Page 8, line 26, note that -- (see Figure 5)-- should follow "37" for a proper characterization; line 27, note that -- (see figures 3, 5) -- should follow "38" and "39", respectively. Page 9, lines 1, 7, note that "rib 40" should reference -- Figures 3, 5, 6-- (1.1), "pin stops 41" should reference --Figure 3-- (1.7), element "42" should reference -- Figures 5, 6-- (1. 7) and element "43" should reference --Figure 5--. Page 9, line 13 and page 10, line 11, should "^uspring" correctly be --spring--? Note that reference label "14" needs description relative to --Figure 1 --, reference label "31" needs reference to --Figure 3-- and reference label "45" needs reference to --Figure 6 --.

Appropriate correction is required.

The drawings are objected to because in the last figure, for steps S1 to S4 of the flow diagram, it is suggested that descriptive wording relating to the individual steps be placed in the corresponding block for clarity of description. A proposed drawing correction or corrected

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drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claims 3-6, 8, 18-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim ~~3~~, note that it is unclear what characterizes "turned towards the means ...".

In claim ~~4~~, note that it is unclear in what manner is the second area considered "parallel to the first area". Moreover, it is unclear how the first recess is "able to receive" the means "from two direction".

In claim ~~6~~, note that it is unclear what characterizes "essentially reversed in relation to the first recess.

In claim ~~8~~, note that it is unclear what characterizes "at right angles to the main plane of the loop".

A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary

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of the remainder of the claim, and therefore not required, or (b) a required feature of the claims.

Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949).

In the present instance, claims 18, 20 ~~are~~ recites the broad recitation forming, ... an essentially Flat area, and the claim also recites for example by stamping which is the narrower statement of the range/limitation.

In claims ~~18, 20~~, note that the recitation of forming "an essentially flat area" and embedding a "first end part" appear to be redundant recitation since these limitations already appear in claim 1, from which these claims directly depend.

The following claims have been found objectionable for reasons set forth below:

In claims ~~1, 14, 18~~, note that "(an) earthed" should be rewritten as -- (a) grounded --.

In claim ~~5~~, note that "which" should be rewritten as --said-- for clarity.

In claim ~~9~~, note "that is inserted" should be rephrased to avoid the method connotation.

In claim ~~16~~, note that "a casing" should be rewritten as --the casing-- to avoid antecedent basis problems.

Claims ~~18, 20, 22, 24~~ are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. In these claims, the recitation of a "method of manufacture" (~~18~~, 20), a casing (~~22~~), and a cavity filter (~~24~~) which respectively depend

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from the "device of claim 1" fail to properly further limit the "device" recited in claim 1.

Applicants' should rewrite the claims in independent form including the limitations of claim 1, where appropriate.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7, 24 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by

Ahlberg (cited by applicants').

Ahlberg (fig. 4) discloses a device for transmitting or receiving electromagnetic waves within a cavity (39) of a combiner Filter (30) which comprises a loop (32) and a dielectric part (42, 43) that houses a metal shaft (41) associated with a first end (32b) of conductive loop (32). The dielectric part has a recess therein which receives metal shaft (41) of the first end. Note that the shaft (41), the recessed dielectric part (42) and a surrounding metal screw (3) collectively form a capacitance relative to grounded box wall (35a) of closed cavity (39). Note that the loop at end (32b) is longitudinal and the portions (43) of the dielectric part are at right angles to the longitudinal portion of the loop.

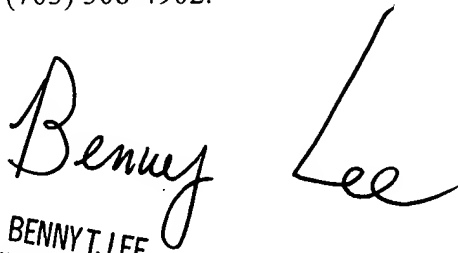
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Radzikowski et al (Fig. 1) discloses conductive loop (42) fitted into dielectric (62). Iizuka discloses a conductive loop (5) fitted into recess (7).

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Any inquiry concerning this communication should be directed to Benny Lee at telephone number (703) 308-4902.


BENNY T. LEE
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ART UNIT 2817

B LEE /pj

03/31/03